

COUNTY CLERK SUMMONED IN PRISON CASE

W. F. Schneider Subpoenaed
in Search for Sullivan
Stenographer.

GRAND JURY TO HEAR OTHER NEW WITNESSES

William F. Schneider, Clerk of New York County, was subpoenaed yesterday to appear to-day before the Kings county grand jury in connection with the Sing Sing scandal. He will be questioned regarding the whereabouts of Louis Louie, a burkholder, Sullivan's former stenographer, who is wanted by District Attorney Crosey in his attempt to prove that Sullivan manipulated funds of the defunct Union Bank after his commitment to Sing Sing.

Mr. Schneider has known Miss Burkhart twenty-two years, he told THE SUN over the telephone last night from his home at 27 East 125th street. He is a friend of the family, he said, and a little more than a year ago he employed Miss Burkhart for one month to get signatures to a petition to the fusion committee recommending his candidacy.

Superintendent of Prisons John B. Clegg will also testify in Brooklyn to-day. He comes without subpoena at the request of Mr. Crosey. The Union Bank depositors, headed by Mr. J. Ellis Rohrer, are very anxious to have Mr. Riley investigated, believing that he whitewashed Warden McCormick in his recent Sing Sing investigation, and it is probable that Riley will be asked to waive immunity before he is questioned to-day.

Sullivan has spent only four nights in a cell since he went to Sing Sing, and William J. Cummins, a brother bank crook, has never slept in a cell, according to Mr. Crosey. James M. Clancy, who was the principal witness yesterday, prisoners assigned to clerical work at Sing Sing never occupy cells, Mr. Clancy said, "and as for Cummins, he consumed the food that he ate in a cell. He weighed 335 pounds when I first saw him, but I think he only weighs 240 now."

Says Sullivan Worked.
Sullivan worked sixteen hours a day, Mr. Clancy said, and he believed it was possible for Sullivan to have been in Washburn in July, 1912. He said that 99 per cent of the prison funds at Sing Sing are transacted by convicts, and that they know nearly all the secrets of the prison office.

Mr. Clancy was asked if he had waived immunity. "Waive immunity," he replied, "of course I waived immunity. I'd waive anything. I had nothing to fear. But I did not like the testimony I had to give. Somebody in whom I had confidence has told all he knew."

The ex-warden would not explain this statement. District Attorney Crosey has learned that through the prison "underground" system of communication news of Louis Louie's mission to Sing Sing, which was told with subpoenas two weeks ago, became known to the convict Sullivan before Mr. Goldstein arrived at the prison. A conference was immediately called, Mr. Crosey heard, in which the convicts Sullivan and Cummins discussed Goldstein's visit with William J. Watson, Warden McCormick's secretary. It was Sullivan, Mr. Crosey said, who believed, who advised Watson not to testify before the Kings county grand jury. Watson has sworn that he advised John J. Malloy not to testify, but would not say why he gave Malloy that advice.

In his efforts to get track of Miss Burkhart, Mr. Crosey's men subpoenaed her brother, Frederick Burkhart, in a New York bank where he is employed. The subpoena called for his appearance yesterday and when he was not found among the witnesses Mr. Crosey had a writ of attachment issued and sent men out to locate him again.

New Charges Planned.
Dr. J. Ellis Rohrer gave out a statement yesterday afternoon saying that the Union Bank depositors would lay charges in connection with the Union Bank scandal and the missing assets against Eugene Lamb Richards, State Superintendent of Banks, and Matthew J. Horan, financial controller of the Banking Department. These charges will be brought to the attention of Governor-elect Whitman. The meeting of the Union Bank depositors has been postponed until Friday night, when the charges against Suplt. Riley and the Parole Board will be formulated.

Michael P. Lally, the Yonkers hotel man who says he loaned the "deposed" warden \$2,000 to buy the prison "Joy" was before the grand jury yesterday and later had a conference with District Attorney Crosey in his office. It has been learned from Lally's bank account that he deposited \$2,000 early in July. He is unable to remember where he got this money. District Attorney Crosey would like to prove that he got it from Sullivan.

Stephen C. Kalkin, whose investigation of Sing Sing has caused the removal of Warden McCormick, said in his report to Gov. Glynn that he was "of the belief that he (Lally) never loaned the money to McCormick."

District Attorney Crosey has a tip that Sullivan drove the warden's car two weeks ago from Ossining station to a political meeting when Gov. Glynn was a passenger. Dr. E. P. Sheehan of Ossining, who is said to have been a passenger with McCormick and Gov. Glynn, will be called before the grand jury to clear up this point.

QUIT TO AID IN SIEGEL CASE.

District Attorney Cook of Livingston County Retained by Whitman.

GENESEE, Nov. 4.—Frank K. Cook of this town has tendered to Gov. Glynn his resignation as District Attorney of Livingston county to take effect immediately. He says that he has undertaken to do certain work in the Henry Siegel case for the District Attorney of New York county and that if the trial is prosecuted to a conclusion he will be unable to take charge of the proceedings of the Livingston grand jury, which meets on the same day the trial starts.

Mr. Cook's help will be much needed by District Attorney Whitman in the Siegel case. Assistant District Attorney Train of New York county arrived in Genesee to-day with a large staff of attorneys and began at once to prepare the case. Eighteen cases of account books, weighing nearly three tons, to be used in the trial, have arrived. Charles E. Newton of this place has been engaged by the defense. The trial will start next Monday before Supreme Court Justice Clark.

Edgewater Chief Waits for Lovell.
LEXINGTON, Nov. 4.—Ralph Edward Lovell arrested here on a charge of embezzling funds from the First National Bank of Edgewater, N. J., is being held for extradition. He will be taken back to the United States by Chief of Police of Edgewater, who is here.

Twelve More New Haven Men Plead Not Guilty

Indicted Directors Point to Election Results as One Effect
of Administration Attitude Toward Road—Special
Defence for Robbins Indicated.

WILLIAM ROCKEFELLER LIKELY TO PLEAD TO-DAY

Twelve more directors or former directors of the New Haven appeared in the United States District Court yesterday—eleven in person and one by counsel—and gave \$5,000 bail each after entering pleas of not guilty to the charge of conspiring to violate the Sherman anti-trust act.

The eleven men who appeared in person were Alexander Cochrane, William Skinner, James S. Hemmings, Frederick F. Hewater, A. Heaton Robertson, Edward Milburn, Francis T. Maxwell, Robert W. Taft, Edward D. Robbins, Henry K. M. Harg and D. Newton Barney, while Theodore N. Vall, who is in the South, appeared by counsel.

As George F. Baker, Lewis Cass Leavard and Charles M. Pratt appeared last Monday in person and George Macauloch Miller appeared by counsel, sixteen of the twenty-one officials or ex-officials indicted have appeared. Those remaining are William Rockefeller, who is to appear some time to-day; John L. Billard, T. De Witt Cuyler, James S. Elton and Charles F. Crocker. The trial will either appear to-day or to-morrow.

Point to Election Results.

There was a different atmosphere from that of Monday when the indicted men appeared in court yesterday. It was observable when Mr. Cochrane and Mr. Skinner appeared at 11 o'clock before Judge Foster and equally apparent at 2 o'clock when the others appeared before Judge Ruliff. An election has been held in the meantime and every man in the courtroom pointed to the election results as the attitude of the national administration toward the New Haven company. They were careful to say that it made no difference so far as their own cases were concerned, but there are 26,750 New Haven stockholders in New England and 600,000 people have been affected since the stock dropped and the 3 per cent dividend has been passed.

If the Government had not sought to make politics out of holding our indictments until the election eve Baldwin might have been re-elected Governor of Connecticut," said Mr. McFarlane.

The people up New England think that the Government has gone after the road a little too strong," said Mr. Robertson.

The defeat of Congressman Kelly of the Third Connecticut district, who was elected the last time by 3,278, was directly traced to the New Haven situation. The Third district is New Haven, and there are many widows and old persons who have lost all their incomes in the last year.

Robbins May Plead in Bar.

The pleas of yesterday were all in line with those made by Messrs. Baker, Leavard and Pratt on Monday, except that of Edward D. Robbins, long the general counsel of the New Haven. Charles M. Sheafe, who is of the New Haven legal staff, but who represented a majority of the Connecticut men personally, made the usual plea of not guilty in Mr. Robbins's behalf, asking until November 22 for time to withdraw the plea and to demur or make other necessary motions, but adding: "Or in this case to interpose a plea in bar of prosecution."

Mr. Crosey heard, in which the convicts Sullivan and Cummins discussed Goldstein's visit with William J. Watson, Warden McCormick's secretary. It was Sullivan, Mr. Crosey said, who believed, who advised Watson not to testify before the Kings county grand jury. Watson has sworn that he advised John J. Malloy not to testify, but would not say why he gave Malloy that advice.

NEW PAPER ISSUED FOR JEWISH PEOPLE

The "Day," Herman Bernstein

Editor, Announces Non-

partisan Policy.

The first edition of the Day, the latest newcomer in the New York newspaper field, will be issued this afternoon. Herman Bernstein is the editor, and the new journal is to be devoted to the interests of the Jewish people. It will be published daily, with an English supplement. In outlining the policy of the paper Mr. Bernstein says:

"Last April the incorporators of the Day Publishing Company issued the following announcement, outlining briefly the purpose and aims of the new Jewish daily:

"The Day will be absolutely free and independent; it will not be the organ of any party, section or class in Judaism, and will thus be in a position to encourage constructive American Jewish forces wherever they may be found—in the Zionist or anti-Zionist, the orthodox or reform, the radical or conservative sections in American Jewry. This newspaper will oppose every kind of violence and every destructive force in American Jewish life.

"Unbiased, clean in politics, modern, enterprising and accurate in its American and foreign news service it will strive to become a constructive force in American Jewry in the greatest Jewish center in the world. The Day will publish the best literature, original as well as translations, novels, stories and essays by men and women of international reputation, and will keep American Jews well informed regarding the course of events in the career of Jewish life throughout the world.

"We have now succeeded in translating into terms of actuality the dream of those who believed in the need of creating a new organ of public opinion among the Jews of America. It is our hope and our ambition to make this new journal a real newspaper—clear, unbiased, independent and non-partisan. It is the highest standard in Jewish journalism in America, to create a live, sensitive organ of public opinion among the Jewish people of this country, to present American and Jewish problems in their true light, to interpret America to the immigrant and the immigrant to America. It is the purpose of the Day to serve the Jewish people with devotion, with sympathy and with love. The Day comes not to destroy but to build, not to spread dissension but to promote harmony—to help the newcomers to a better understanding of America and to help America to a clearer conception of the Jew."

The Day will publish this afternoon letters of congratulation from President Wilson, Secretary McAdoo, Secretary Daniels and Jacob H. Schiff.

Falls to Death Hanging Clothes.

Mrs. Mary Viller, 40, a widow, of 44 West Fourth-street, while hanging clothes on the fire escape yesterday fell three stories and was killed instantly.

month of 1912 and early in 1913 as a result of which Charles S. Meilen and Messrs. Chamberlin and Smithers of the Grand Trunk were indicted.

These indicted parties come to trial. They were found in the Taft Administration. The Grand Trunk inquiry centered about the deals of the New Haven road, which it is said, form part of the present case.

Vail Plea by Lawyer.

The only defendant whose plea was taken in his absence yesterday was that of Theodore N. Vall. Harry A. Cushing appeared for Mr. Vall, who is in the South. Judge Ruliff took cognizance of the fact that the telephone head is not likely to run away and permitted Mr. Cushing to plead, and until the bail bond is perfected Mr. Vall will be technically in his lawyer's custody.

The other men were all there sitting in a row inside the bar of the court. They were called separately, and Mr. Sheafe spoke for all of them after they had all declared their pleas of not guilty.

Mr. Milburn came first to the court clerk, waived the reading of the indictment, and then remained silent while the formalities which give his lawyers a chance to demur or take other action up to November 22 were gone through with. Then came Mr. Maxwell, Robert W. Taft, Mr. Hemmings, Judge Robertson, Mr. Brewster, Mr. Robbins, for whom the special plea was interposed, Mr. McFarlane and Mr. Barney.

Talk Everything But Case.

They all remained talking thereafter in the court room while the surety companies hastened to draw up the bonds, which were attested before Commissioner Gilchrist. These talks took the form of various public men and the general sentiment in New England but none of them would talk about the particular case at bar. Only one remark was dropped by Mr. Skinner, who had been down in the morning, but who had returned to perfect his bail. "There are a number of men accused here who do not know what it is all about," he said. "I know nothing of these things of which they are accused."

Four of the men, Mr. Brewster, Mr. Milburn, Mr. Maxwell and Mr. McFarlane, were in a hurry, because at 3 o'clock there was to be a meeting of the directors of the New Haven and they were all predicted last week. They went up to the meeting later and it was announced to be simply a get together affair between the old men and the new ones. They were not in session long. The first real meeting will be on November 12, which will be the third Thursday after the election of the stockholders. Then they will select the new executive committee and also elect President Howard Elliott to succeed himself as chairman of the board.

Rockefeller to Appear To-day.

Mr. Rockefeller will appear some time to-day, according to the court yesterday. The exact time has not been set for several reasons. It may be that in the end he will receive the privilege accorded to Mr. Miller and Mr. Vall, but the intention yesterday was that he should appear at the same time. Just when John L. Billard will appear was not known. The Connecticut banker, who was indicted in the purchase of various companies, has not sent word, but he is expected some time this week. Charles F. Crocker will also appear.

Mr. Rockefeller's term of service as a director of the New Haven began October 13, 1913, and he is the veteran of the twenty-one. Mr. Crocker went in at the same time as Mr. Miller, in October, 1913.

WESTERN MARYLAND REPORTS.

Road in Good Physical Shape—Better Business Expected.

The Western Maryland Railway in its report for the year ended June 30 shows a deficit of \$2,715,565, against a deficit of \$414,972 for the preceding year. Operating revenue was \$2,297,738, against \$7,032,679 the year before. Operating expenses were nearly \$2,000,000 greater.

The report covered by this report has not been satisfactory, says the president, "as it has reflected smaller gross earnings and a greater ratio of expenses than was anticipated. The former condition is the direct result of the general depression in business which has existed during a greater portion of the year. The latter was due to extraordinary expenses involved in taking care vigorously of deferred maintenance and to the materially increased transportation expense."

"It is confidently asserted that both roadway and equipment are now in normal repair and the company is in condition to handle a materially increased business which it is expected a resumption of normal conditions will produce."

BANKS PAY BACK \$9,800,000.

Some Disposed to Settle for Emergency Currency in Gold.

An additional \$9,800,000 of emergency currency was retired yesterday by New York banks making \$10,000,000 in all to be turned in since the movement began. Yesterday's retirement was the heaviest that has taken place. The National City Bank sent in \$6,000,000 and the Chase National \$2,000,000. The remainder was contributed by the Irving National, Hanover National and some of the smaller institutions.

There was taken out by the banks in this city about \$133,000,000, of which \$80,000,000 was given out from the Sub-Treasury, the remainder coming from Washington. In the entire country there was taken out \$364,239,215.

At the Clearing House it was said the banks are more disposed to make their payments in gold, lawful money or the currency. Clearing House certificates instead of by the means employed during a crisis.

ZAMORISTS FLEE IN HAYTI.

French Protect Bateau Party—U. S. Battleship at Port au Prince.

WASHINGTON, Nov. 4.—Charles Zamor, brother of the defeated President of Hayti, is a refugee in the French colony of Port au Prince, according to information received here to-day. Zamor is accompanied by a number of his political associates.

Port au Prince is reported quiet and under martial law. The battleship Kansas has arrived in the harbor, joining the transport Hancock with 800 marines on board.

BANKER INDICTED, IS REPORT.

Other Bills in East Side Cases Expected To-day.

The September grand jury that was continued in session to investigate five East Side banks now in the hands of State Superintendent of Banks Richards reported to Judge Wadhams in General Sessions yesterday. It is said that indictments against one of the bankers was filed. A warrant was issued for his arrest.

More indictments are expected to-day when the jury will again report.

FOUR TALKED OF FOR DISTRICT ATTORNEY

Tanner Among Them—Others
Are C. F. Bostwick, William
Hayward and A. C. Train.

MR. WHITMAN UNDECIDED

ANTIS ALSO TAKE COMFORT

Governor-elect Whitman, who will hold his office of District Attorney until mid-December 31, will appoint his successor for one year, but yesterday at 10 o'clock in the Criminal Court Building he refused to give an inkling who the man would be. Several names have been mentioned, including those of several members of his staff. All Mr. Whitman would say was that he would not discuss appointments for some weeks.

Mr. Whitman will not take part personally in the trial of Henry Siegel for grand larceny, he began yesterday morning. It had been his plan to appear for the people, but by reason of the fact that the case may come before him as Governor he has decided to remain out of it. His assistants, Arthur C. Train and William Dean Embree, will represent the prosecution. Local counsel has been retained to aid them.

In the course of a long conversation Mr. Whitman let it be known that he would favor the immediate disposition of the Becker appeal. The case is on the calendar to be argued in the Court of Appeals the last of this month, but it may be delayed until next term, as it is doubtful if the matter can be disposed of by decision until after January 1.

When Mr. Whitman reached his office he gave his lawyers a chance to demur or take other action up to November 22 were gone through with. Then came Mr. Maxwell, Robert W. Taft, Mr. Hemmings, Judge Robertson, Mr. Brewster, Mr. Robbins, for whom the special plea was interposed, Mr. McFarlane and Mr. Barney.

"Not for weeks," was the reply.

According to the gossip about his office, at least four members of his staff are being offered to him when he presses for the name of his successor as District Attorney he said:

"That is a serious question. I have not decided. When do you expect to decide?"

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PELL & CO. OFFER COMPROMISE.

Indebtedness Reported at Creditors' Meeting to Be \$8,479,312.

A meeting of the creditors of S. H. Pell & Co., stock brokers of 43 Exchange place, was held yesterday before Judge B. Olney, referee in bankruptcy, at the rooms of the New York County Lawyers Association. The receivers presented an estimate of the assets of the firm, which assumed as of September 30, showing liabilities of \$8,479,312 and nominal assets of \$3,750,962.

An offer of composition was submitted by the firm which provides for the formation of a corporation to be known as the Creditors Assets Corporation, which will acquire all the assets of the firm. The corporation is to issue its notes, known as Series A notes, to an amount not exceeding \$1,100,000, and creditors other than Cotton Exchange creditors shall be paid 100 cents of their claims as allowed in Series A notes.

To the Cotton Exchange creditors will be paid \$500,000 of the Series A notes, and the corporation is to be known as the Pell & Co. Assets Corporation. The balance of the claims remaining after the application of the \$500,000 Series A notes.

The Cotton Exchange creditors shall receive also Series B notes for the balance of the claims remaining after the application of the A notes.

The firm is to obtain from Col. R. M. Thompson a waiver of all its claims against the firm. There was much discussion among the lawyers as to the meaning of claims as allowed. Ex-Judge Morgan J. Brennan, who formerly presided over the case, said that unless unanimous consent from all the creditors was obtained the offer would be withdrawn.

EMBARGO ON NEW YORK CATTLE

Foot and Mouth Disease Found in Buffalo Stockyards.

WASHINGTON, Nov. 4.—New York and Maryland were added to-day to the list of States from which shipments of live stock are prohibited because of the existence of foot and mouth disease within their borders. Cases have been found in the Buffalo stockyards and one case at Hagerstown, Md. In addition reports from the Chicago stockyards indicate that some 600 animals there are infected.

The list of States now quarantined by the Federal authorities includes New York, Maryland, Indiana, Michigan, Illinois and Pennsylvania. In addition to these restrictions have been placed on interstate shipments from Ohio, although no cases have as yet been found in that State. There is reason to fear, however, that infected stock may have been sent into Ohio. If this is found not to have been the case the embargo will be lifted.

This outbreak, which is the first in the United States since 1901, is regarded as the most serious of any that the United States has as yet experienced.

CHICAGO, Nov. 4.—In a supreme effort to stamp out the epidemic of foot and mouth disease at the Chicago stock yards a conference of Government and State officials and representatives of the packers and stock yard interests decided to-night to close down the stockyards for a period of nine days, beginning Friday night. The stock yards will be given a thorough disinfecting.

Drastic action came as a result of a discovery to-day that more than 600 cattle in the pens were afflicted with disease. The cattle were shot this afternoon.

MADE IN U. S. A. INCORPORATED

Club to Push Idea Takes Out Papers at Albany.

ALBANY, Nov. 4.—The Made in U. S. A. Club, a membership organization, with principal offices in New York City, was incorporated in the State of New York to-day. The objects of the club are the "promotion of nationwide propaganda looking toward a wider and more intimate exchange of commercial relations between the United States and the other countries of the world." The incorporators are Stephen J. Clark, Louis V. D. Hardenburgh, Thomas C. Gueland of Brooklyn and John J. Fausti of New York City.

SUFFRAGISTS ELATED OVER TWO VICTORIES

Dr. Shaw Sure of Montana and
Nevada, and Hopes for
Nebraska.

MR. WHITMAN UNDECIDED

ANTIS ALSO TAKE COMFORT

The suffragists' hopes of success in the election hung in the balance all day yesterday, as returns came in from the West first one way, then another. Dr. Anna Howard Shaw, president of the American National Woman Suffrage Association, was very optimistic.

"Of course we did not expect to win all the States that voted on the question," she said, "and if we got any we considered ourselves fortunate. The odds in Ohio were overwhelming, even the most enthusiastic suffragist never expected it to be won over. But with Montana and Nevada we now have much of the far West, and it will be a splendid beginning for New York next year. We had a telegram this afternoon saying that there still is a good chance in Nebraska, so we are hoping for that too."

"The liquor interests and the trusts combined to defeat us in North Dakota and the fact that the suffrage organization there is so recent. The antis followed me around from State to State, but their organization is weak. Whatever the final outcome of the elections is we will continue to work for New York State in 1915."

"The election stirred up the old enmity between the suffragists and the antis, which seems at best to be only sleeping," said Mrs. Arthur M. Dodge, president of the National Association Opposed to Woman Suffrage. "Their employment of militant methods, we believe, has cost them victory in six of their States. [This was before the full returns had been received.] The men are already disgusted with their tactics, and we notice that the men are hungry in these campaign States to hear the other side. They knew vaguely that woman suffrage was wrong, but did not know the reason until our workers came to tell them."

"Moreover in times like these it seems wrong for the suffragists to use such enormous sums of money to carry on their own campaign. We have spent nothing like the same sums of money and have won."

Mr. Whitman would not confirm any of the names mentioned as being even under consideration.

Mr. Whitman remained at his office until 1 o'clock in the afternoon and then went up town. Among the messages received by him was one from former Governor De Witt Cuyler, who had just been elected Justice Charles E. Hughes.

Mr. Whitman will not take an extended vacation. On Friday he and Mrs. Whitman will go to Lakewood and remain there until Tuesday.

Ex-Police Chief William S. Doherty sent this telegram to the District Attorney yesterday:

"Congratulations on the election. Keep your head on your shoulders and keep your eye on the gun, as we need you for the White House in 1916."

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SUFFRAGISTS LOSE IN FIVE STATES, PROHIBITION IN THREE

Women Probably Will Win Montana, With a
Chance for Nevada—Oregon, Colorado and
Arizona Votes Favor the Drys.

Returns from the seven States that voted on Tuesday on woman suffrage indicate that the question won in Montana and probably in Nevada, but was defeated in Missouri, Nebraska, Ohio and both of the Dakotas. The prohibitionists probably won Colorado, Oregon and Arizona, while they lost Ohio, Washington and California.

In Ohio the woman suffrage amendment was defeated by a plurality of perhaps 150,000.

Suffrage was swamped by the voters of Missouri, being beaten about 4 to 1 in the cities and nearly 3 to 1 in the rural districts from the estimates and figures available